

# JOURNAL OF THE SENATE

THURSDAY, MAY 23, 1929

The Senate convened at 11 o'clock A. M., pursuant to adjournment on Wednesday, May 22, 1929.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adams, Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 22, 1929, was corrected as follows:

On page 14, column 2, lines 41, 42 and 43, strike out the following: "strike out the words after the word 'take', and insert in lieu thereof the following:"

And insert in lieu thereof the following: "after the word 'take' insert the following:"

And as corrected was approved.

## REPORT OF ENROLLING COMMITTEE

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 483):

An Act authorizing the City of Tampa, Florida, a municipal corporation, to lease a certain building known as the Tampa Bay Casino and the property upon which the same is situate, to the U. S. S. Tampa Post No. 5 of the American Legion, a corporation not for profit.

Also—

(Senate Bill No. 449):

An Act to abolish the present municipal government of the City of Waldo in the County of Alachua and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Waldo, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

J. MAXEY DELL,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the Part of the Senate, to be conveyed to the Governor for his approval.

Also—

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 571):

An Act to abolish the Fort Pierce Inlet District, in St. Lucie County, Florida, and creating a new special taxing district in said county, having the same territory as said Fort Pierce Inlet District, to be known as Fort Pierce Port District; to provide for the government and administration of said

district; to define the powers and purposes of said district and of the Board of Commissioners thereof; to authorize said board to control, manage, construct, improve and maintain the inlet, harbor and waterways within said district, and to acquire property for the purposes of said district, and to construct, improve and maintain slips, wharves, docks, warehouses, terminals and other works for district purposes; granting to the Board of Commissioners of said district the power to appoint, examine, license, suspend and remove pilots from said district, and the power to appoint a harbor master for said district, and to fix the fees of said pilots and harbor master; granting to said board the power to examine, appoint and license stevedores for said district; granting to said board all the powers of boards of pilot commissioners under the general laws of the State of Florida; granting to said board the power to fix harbor lines, bulkhead lines and pier lines; granting to said board the right to condemn property for district purposes; to provide for the levy and collection of taxes for district purposes; to authorize said board to borrow money and issue notes as evidence thereof; to authorize said board to issue and sell bonds of said district in the amount of \$200,000 for the purpose of improving and maintaining the inlet, harbor and port facilities of said district and acquiring property therefor, and providing for an election to determine whether said bonds shall be issued; to prevent injuries to property and works owned or controlled by this district, and to prescribe penalties therefor; providing that said Fort Pierce Port District shall succeed to title and ownership of all property, uncollected taxes, claims and choses in action owned by Fort Pierce Inlet District, and that all lawful debts, contracts, bonds and other obligations of Fort Pierce Inlet District shall be the obligations of Fort Pierce Port District, and generally to provide for the government, administration, construction, improvement and maintenance of the harbor, inlet, waterways and port facilities located within said Fort Pierce Port District.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

J. MAXEY DELL,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Also—

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 828):

An Act to abolish the present municipal government of the Town of Lantana, in Palm Beach County, Florida; to create and establish a new municipality to be known as the Town of Lantana, in Palm Beach County, Florida; to legalize and validate the ordinances of the former Town of Lantana, and to legalize and validate the official acts of said former town and its officials, and to provide that the town hereby created shall assume the obligations and indebtedness of said former town and its officials; to legalize and validate all assessments and levies of general taxes and special assessments levied by said former town; to fix and provide the territorial limits, jurisdiction and powers of the town hereby created, and the jurisdiction and powers of its officers.

Also—

(House Concurrent Resolution No. 19):

Relating to the appointment of a delegate to the National Convention of the American Taxpayers' League, for the purpose of combating and fighting for the repeal of the federal inheritance tax.

Also—

(House Bill No. 836):

An Act to abolish the present municipal government of the Town of Ormond, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Ormond, and to define its territorial bound-

aries and provide for its government, jurisdiction, powers, franchises and privileges; and providing for a referendum.

Also—

(House Bill No. 721):

An Act to abolish the present municipal government of the Town of Golden Beach, in the County of Dade, and State of Florida; and to organize and establish a town government for the Town of Golden Beach, in the County of Dade, and State of Florida; to prescribe its jurisdiction and powers; and to authorize the imposition of penalties for the violation of its ordinances.

Also—

(House Bill No. 781):

An Act to abolish the present municipal government of the Town of Tampashores, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Tampashores, to legalize and validate the ordinances of said City of Tampashores and official acts thereunder, and to adopt all of said ordinances of said Town of Tampashores which are not in conflict with this Act; to validate the contracts of said Town of Tampashores; to provide a charter for said City of Tampashores, to define its territorial limits; provide for its government; to regulate the bringing of suits against said city and providing for notice thereof; to prescribe the jurisdiction and powers of said City of Tampashores.

Also—

(House Bill No. 947):

An Act to amend the charter of the City of Fort Lauderdale, County of Broward, State of Florida, being Chapter 10552 of the Laws of the State of Florida, approved June 6, 1925, relating to the government, jurisdiction, and powers of said city, and providing for a referendum election, and other purposes.

Beg leave to report that the have same this day been presented to the Governor for his approval.

Very respectfully,

J. MAXEY DELL,

Chairman of the Joint Committee on Enrolled Bills  
on the Part of Senate.

#### REPORTS OF COMMITTEES

Mr. Young, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Drainage, to whom was referred:

House Bill No. 497:

Being a bill to be entitled An Act to establish the Okeechobee Flood Control District of this State, and to define its boundaries, to create a board of commissioners of said district, and to define its duties and powers, authorizing the establishment and construction, maintenance and operation of a system of canals, levees, dams, locks and reservoirs, and improvement of natural waterways to control and regulate the waters of Lake Okeechobee and the Caloosahatchee River and vicinity, preventing the overflow thereof and protecting and preserving life and property from loss and damage by reason of the overflow of Lake Okeechobee and the Caloosahatchee River and vicinity, and the cooperation of said Board with the Federal Government or agencies thereof in connection with flood control and navigation; for the benefits of the lands and other property embraced in the said district, and to levy assessments of taxes upon land and other property embraced in said district and to provide for the collection of the same; and to enforce the collection of such assessments and to authorize the board of commissioners of said district to borrow money and to issue bonds and dispose of the same to procure money to carry out the provisions of this Act.

Have had same under consideration, and recommend that the same, with amendment thereto, do pass.

Amendment No. 1.—Strike all parts of said bill, following the enacting clause, and insert in lieu thereof the following:

Section 1. For the purpose of controlling the flood waters of Lake Okeechobee and the Caloosahatchee River and vicinity, preventing the overflow of the same, and for the preservation of life and the protection of property in the territory hereinafter described, for agricultural and sanitary purposes and for the public convenience and welfare, and for the public utility and benefit a special taxing district is hereby established to be known and designated as Okeechobee Flood Control District, the territorial boundaries of which shall be as follows:

All of that part of the State of Florida south of the following

described line except that part of Monroe County not on the mainland of the State of Florida, to-wit:

Beginning at a point where the North boundary of Martin County intersects with the Atlantic Ocean; thence West, South and West on the North boundary of Martin County to the Southeast corner of Township 37 South, Range 39 East; thence North on the Range line between Ranges 39 and 40 to the Northeast corner of said Township 37 South, Range 39 East; thence West along the Township line through Ranges 39, 38 and 37, to the intersection with the East boundary of Okeechobee County; thence North, West and North along the Eastern boundary of Okeechobee County; thence West along the North boundary of Okeechobee County to the Northwest corner of Okeechobee County; thence Southwesterly and Southeasterly along the West boundary of Okeechobee County, the same being the center line of the Kissimmee River, to the intersection of said West boundary of Okeechobee County with the line between Townships 36 and 37 South, in Range 33 East; thence West along said Township line to the Northwest corner of Township 37 South, Range 31 East; thence South on the Range line between Ranges 30 and 31, through Townships 37, 38 and 39, to the Southeast corner of Township 39 South, Range 30 East, which point is on the North line of Glades County; thence West along the North line of Glades County, the same being the South line of Highlands County, to the Northwest corner of Glades County, which is also the Northwest corner of Township 40 South, Range 28 East; thence South along the West line of Glades County to its intersection with the South line of Charlotte County, the same being also the North line of Lee County; thence West along the North boundary of Lee County to its intersection with the Gulf of Mexico.

Section 2. The governing board of said district shall be designated "Board of Commissioners of Okeechobee Flood Control District" and shall be composed of the Governor, the Attorney General, the Comptroller, the Commissioner of Agriculture, the State Treasurer and their successors in office, and five (5) persons to be appointed by the Governor, who shall be landowners within said district and residents of counties lying wholly or partly within said district. No two (2) members shall be appointed from the same County. Two (2) of said members shall be appointed for a term of two (2) years; two (2) for a term of three (3) years and one (1) for a term of four (4) years, and thereafter all appointments shall be for four (4) years.

The Governor shall be Chairman of said Board, and the Board shall elect one of the appointed members of said Board Vice-Chairman. The Vice-Chairman shall perform all of the functions of the Chairman in the event of the sickness, absence or inability to act, of the Chairman.

The said Board shall have all of the powers of a body corporate including the power to sue and be sued by such name in any court of law or equity; to make contracts and to adopt and use a common seal and alter the same at pleasure; to hold, buy and convey such personal or real property as may be necessary to carry out the purposes of said District, and to appoint such agents and employees as the business of the Board may require.

Section 3. The members of said Board to be appointed as aforesaid shall take and subscribe to an oath that they will honestly and faithfully perform the duties of their office. The State Treasurer shall be the Treasurer of the District. The members of the said Board shall receive no compensation, but shall be entitled to receive their reasonable expenses, subsistence and lodging while actually engaged in the work of the District. Seven members of said Board shall constitute a quorum, and the concurring vote of a majority of those present shall be necessary for any action of said Board.

Section 4. The said Board is hereby authorized and empowered to establish and construct a system of canals, levees, dikes, dams, locks, reservoirs and improve natural waterways to control and regulate the waters of Lake Okeechobee and the Caloosahatchee River and vicinity to prevent the overflow thereof, and to protect and preserve life and property from loss and damage by reason of the overflow of said Lake Okeechobee and the Caloosahatchee River and vicinity, and to construct, own and operate, under such rules and regulations as may be promulgated by said Board, or by the United States or agencies thereof, such works of navigation as may be necessary or incidental to the construction, maintenance and operation of such flood control and navigation works.

Section 5. The said Board is here authorized and empowered to enter into contracts with the United States, or any department of the government thereof, for the purpose of securing the financial assistance of the United States in the construction of flood control and navigation works, and to own and control jointly

with the said United States any works which may be constructed under this Act, or any works over which the said Board may have or be given control under this or any other Act; or to grant unto the said United States, or any department of the government thereof, the control of any such works; to acquire and hold, or convey to the United States any easement, land, property or rights, which may now or hereafter be owned by said Board; to accept upon behalf of the District, if in the judgment of the Board the terms thereof shall seem advantageous, any appropriation, conditional or otherwise, which may be made under any law which may be enacted by the Congress of the United States; and in general to enter into such contracts and agreements, and to take such actions upon behalf of the District, as shall seem to the Board to be expedient and to effectuate the cooperation of the United States in the construction, operation and control of said flood control and navigation works.

Section 6. The said Board is hereby authorized and empowered to exercise the right of eminent domain, and may condemn for the use of said district any and all lands, easements, rights-of-way, riparian rights and property rights of every description required for the public purposes and the exercise of the powers of said Board, as herein granted.

Section 7. For the purpose of paying the principal and interest of any bonds which may be issued under this Act and for the maintenance of the works of the District and any works over which said Board shall have control, and for the conduct of its business generally, there is hereby levied upon all of the taxable property within said District including the lands held by the Trustees of the Internal Improvement Board, an annual ad valorem tax beginning with the year 1929, in the amount of one mill on the dollar of assessed valuation. The basis of valuation for said tax shall be the same as the valuation for State and County purposes, and the lands held by the Trustees of the Internal Improvement Fund are hereby assessed at an amount equal to other lands in the same vicinity; which amount the said Trustees of the Internal Improvement fund are hereby required to ascertain and certify to the Board of Commissioners of Okeechobee Flood Control District, which Board shall, in turn, certify the same to the tax assessors of the several counties lying wholly or partially in said District.

Also there is hereby levied and imposed upon all lands within said District, as follows, to-wit: All being in Townships South of the Tallahassee parallel, and in Ranges East of the Tallahassee Meridian, to-wit:

#### ZONE A.

That upon the following described lands in said District, to-wit:

In Township 40, Range 32, all of Sections 13, 22, 23, 24, 27, 28, 33, 34; also

In Township 41, Range 32: All of Sections 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, 34, 35; also

In Township 42, Range 32: All of Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36; also

In Township 39, Range 33: All of Sections 13, 23, 24, 25, 26, 27, 33, 34, 35, 36; also

In Township 40, Range 33: All of the Township; also

In Township 42, Range 33: All of the Township; also

In Township 38, Range 34: All of Sections 1, 2, 3; that part of Section 4 lying East of the Kissimmee River; all Sections 11, 12, 13, 14, 23, 24, 25, 26, 34, 35, 36; also

In Township 39, Range 34: All of Sections 3, 4, 7, 8, 9, 17, 18, and 19; also

In Township 42, Range 34: all of Township; also

In Township 43, Range 34: all of Township; also

In Township 37, Range 35: all of Sections 25, 26, 27, 28, 29, 31, 33, 34, 35 and 36; also

In Township 38, Range 35: all of Township; also

In Township 43, Range 35: all of Township; also

In Township 44, Range 35: all of Township; also

In Township 37, Range 36: all of Sections 30, 31 and 32 also

In Township 38, Range 36: all of Sections 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 23, 24, 25 and 36; also

In Township 42, Range 36: all of Township; also

In Township 43, Range 36: all of Township; also

In Township 44, Range 36: all of Township; also

In Township 38, Range 37: all of Sections 30, 31 and 32; also

In Township 39, Range 37: all of Sections 4, 5, 6, 8, 9, 16, 17, 20, 21, 27, 28, 29, 33 and 34; also

In Township 40, Range 37: all of Township; also

In Township 41, Range 37: all of Township; also

In Township 42, Range 37: all of Township; also

In Township 43, Range 37: all of Township; also

In Township 44, Range 37: all of Township; also

In Township 42, Range 38; all of Township; also

In Township 43, Range 38; all of Township; also

In Township 44, Range 38; all of Township; also

In Township 44, Between Ranges 36 and 37; all of Lots 1 to 6, inclusive; also

In Range 37, between Townships 43 and 44; all of Lots 1 to 6, inclusive; also

In Range 38, between Townships 43 and 44; all of Lots 1 to 6, inclusive.

A Tax of Twenty-five (25) Cents per acre is hereby levied for each of the years 1929 and 1930, and thereafter a tax of Forty (40) Cents per acre annually is hereby levied upon said lands.

#### ZONE B

That upon the following described lands in said District, to-wit:

In Township 42, Range 29: all of Sections 25, 26, 35, and 36; also

In Township 42, Range 30: all of Sections 1 to 18, inclusive; also

In Township 42, Range 31: all of Sections 1 to 18, inclusive; also

In Township 42, Range 32: all of Sections 5, 6, 7, 8, 17, 18, 19, 20, 30, 31, and 32; also

In Township 43, Range 32: all of Sections 1 to 18, inclusive; also

In Township 43, Range 33: all of Township; also

In Township 44, Range 33: all of Sections 1, 2, 11, 12, 13, and 14; also

In Township 44, Range 34: all of Sections 1 to 18, inclusive, and all of Sections 22, 23, 24, 25, 26, 27, 34, 35, and 36; also

In Township 45, Range 34: all of Sections 1, 2, 3, 10, 11, 12, 13, 14, and 15; also

In Township 45, Range 35: all of Township; also

In Township 46, Range 35: all of Township; also

In Township 45, Range 36: all of Township; also

In Township 46, Range 36: all of Township; also

In Township 45, Range 37: all of Township; also

In Township 46, Range 37: all of Township; also

In Township 41, Range 38: all of Township; also

In Township 45, Range 38: all of Township; also

In Township 46, Range 38: all of Township; also

In Range 39: Township 41, all of Sections 28, 29, 30, 31, 32, and 33; and all of Townships 42, 43, 44, 45, and 46; also

In Range 40: all of Townships 43, 44, 45 and 46; also

In Range 37, Between Townships 45 and 46, all of Lots 1 to 6, inclusive; also

In Range 38, Between Townships 45 and 46: all of Lots 1 to 6, inclusive; also

In Range 39, Between Townships 45 and 46: all of Lots 1 to 6, inclusive; also

In Range 39, Between Townships 43 and 44: all of Lots 1 to 6, inclusive; also

In Range 40, Between Townships 45 and 46; all of Lots 1 to 6, inclusive; also

In Range 40, Between Townships 43 and 44: all of Lots 1 to 6, inclusive; also

In Township 45, Between Ranges 36 and 37: all of Lots 1 to 6, inclusive.

In Township 39, Range 37: all of Sections 25, 26, 35, and 36; also

In Township 39, Range 38: all of Sections 25 to 36, inclusive; also

In Township 40, Range 38: all of Township; also

In Township 39, Range 39: all of Sections 25 to 36, inclusive; also

In Township 40, Range 39: all of Sections 1 to 18, inclusive.

A tax of twenty (20) Cents per acre is hereby levied for each of the years 1929 and 1930, and thereafter a tax of Thirty (30) Cents per acre annually is hereby levied upon said lands.

#### ZONE C.

That upon the following described lands in said District, to-wit:

In Township 47, Range 35; all of Sections 1 to 18, inclusive, and Sections 22, 23, 24, 25, 26, 27, 34, 35 and 36; also

In Township 47, Range 36; all of Township; also

In Township 48, Range 36; all of Township; also

In Township 49, Range 36; all of Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36; also

In Range 37: all of Townships 47, 48, 49 and 50; also

In Range 38: all of Townships 47, 48, 49, 50 and 51; also

In Range 39: all of Townships 47, 48, 49, 50, 51, 52; also

In Range 40: all of Townships 47, 48, 49, 50, 51, 52 and 53; also

In Range 41: Township 43, all of Sections 13 to 36, inclusive; and Townships 44, 45, 46, 47, 48, 49, 50 and 51; also

In Township 52, Range 41: all of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33; also

In Township 53, Range 41: all of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33; also

In Township 47, between Ranges 36 and 37: all of Lots 1 to 6, inclusive; also

In Township 48, between Ranges 36 and 37: all of Lots 1 to 6, inclusive; also

In Range 40, between Townships 53 and 54: all of Lots 1 to 6, inclusive.

A tax of Fifteen (15) Cents per acre is hereby levied for each of the years 1929 and 1930, and thereafter a tax of Twenty (20) Cents per acre annually is hereby levied upon said lands.

#### ZONE D.

That upon all other lands embraced within the boundaries of Everglades Drainage District, upon which acreage taxes have not hereinbefore been levied, except such lands as are described under the heading "EXEMPTIONS," as enumerated under Chapter 12017, Everglades Drainage District Act, Approved June 4, 1927, a tax of Four (4) Cents per acre is hereby levied for each of the years 1929 and 1930, and thereafter a tax of Five (5) Cents per acre annually is hereby levied upon said lands.

Section 8. On the first Tuesday in January of each year the Board shall prepare for each county in which said District may lie in whole or in part, a list of the lands lying in such county, which are embraced in said District. Such lists shall describe such lands when it is convenient to do so by Sections, Townships and Ranges and there shall be designated thereon the amount assessed by this Act upon each section of land or part thereof for the year in which such lists are made. At the same time the Board shall prepare for each county lying wholly or partly within said District a certificate directing the Tax Assessors to assess the ad valorem tax herein levied upon all taxable property within said county and embraced within said District. Immediately upon the preparation of such lists and certificates the Board shall cause to be published in a newspaper published in the City of Tallahassee and in a newspaper published in the City of Miami, once a week for two (2) weeks a notice of the completion of such lists and certificates and that the same may be examined at a place to be designated in said notice and that on a day to be specified in said notice, being not less than fifteen (15) days from the date of the first publication thereof, the said Board will meet at a time and place to be designated and hear all complaints in relation to the preparation of such lists and certificates and for that purpose may adjourn from day to day. Such lists and certificates shall be signed by the Chairman or Vice-Chairman of the Board and attested by the Secretary under the seal of the District.

The lists and certificates for the taxes levied by this Act for the year 1929 shall be prepared immediately upon the passage of this Act by the Comptroller of the State of Florida and shall be signed by the Governor and attested by the Comptroller and the notice herein required to be given shall be signed by the Governor and attested by the Comptroller and the hearing of complaints as to the said lists shall be had before the Governor and the Comptroller in the office of the Governor at Tallahassee, Florida.

Section 9. When the said levy shall have been finally fixed and determined by the Board in each year the amount thereof shall be certified to the tax assessor of each county lying wholly or partially within the District, and the amount of taxes of the District imposed upon the taxable property within such county shall be shown upon the assessment roll in like manner as State and county taxes are shown thereon, except that the same shall be placed in a separate column to be designated "Okeechobee Flood Control District Taxes." The said taxes shall become due and be collected at the same time and in like manner as is now required by law with reference to State and county taxes. The taxes levied in each year shall constitute a lien as of the first day of January in the year in which the same are levied, and the said lien shall be superior to all other liens, except the lien for State and county taxes and other taxes of equal dignity, with which it shall be co-ordinate.

Section 9-A. It shall be the duty of the respective county tax assessors to receive the certificate of such assessment and enter such taxes upon the assessment rolls of the said counties on all lands and property within said District. The tax assessor shall attach to such tax roll each year a special warrant to the tax collector for the collection of such taxes and such special warrant shall be signed by the tax assessor and be authority to the

tax collector for the collection of said taxes. Such warrant shall be substantially in the following form:

#### SPECIAL WARRANT FOR COLLECTION OF OKEECHOBEE FLOOD CONTROL DISTRICT TAXES.

State of Florida, to ..... Tax Collector of the County of .....: you are hereby commanded to collect out of the property against which taxes are assessed for Okeechobee Flood Control District, and from the persons or corporations named herein against whose land and property said taxes are assessed, the said taxes set down in said roll opposite each name, description or parcel of land or other property herein described. In case such tax is not paid before April 1st next, you are to collect same by levy and sale of the property so assessed; and all sums collected for the said District you are to pay to the Treasurer of Okeechobee Flood Control District.

Given under my hand this ..... day of .....  
A. D. 19.....

Assessor of Taxes.

Such warrant shall remain in full force until all of the taxes shown in said roll have been assessed and shall be collected.

Section 10. If any tax levied under the provisions of this Act upon any piece or parcel of land shall not be paid on or before the first day of April in the year following the year for which such assessment is made, the Tax Collector shall advertise and sell such land, by newspaper notice, and in the event that there is no newspaper in the County then by posting, in the same manner as is now provided by law for the sale of lands for the non-payment of State and county taxes, except as herein otherwise provided, but no lands which have previously been sold for the non-payment of such tax, and for which unredeemed tax certificates are outstanding in the name of the District shall be again advertised and sold for the non-payment of such tax, but the tax for each subsequent year shall continue as a lien upon said land until paid. The Board may select the newspaper in which the advertisement shall be published, which shall be such a newspaper as might legally be selected for the publication of the notice of sale for State and county taxes; if the Board shall not select such newspaper and notify the Collector of such selection on or before the first day of April of any year, the advertisement shall be published in the newspaper selected by the Board of County Commissioners for the publication of advertisements of sale for the non-payment of State and county taxes, and the charges for advertising shall be the same as those provided for the sale of lands delinquent for State and county taxes. The charges for the publication of such notice, and all other charges in connection with the assessment and collection of the taxes herein provided for shall be paid in the first instance by said Board. If, for any reason, a sale of any lands for delinquent taxes shall not be made in the year in which they are required to be sold, such land shall be advertised and sold in any year thereafter, and there shall be due upon such taxes interest computed at the rate of eight per centum per annum from the first day of April in the year in which sale is required to be made to the first day of April of the year in which sale is actually made.

Section 11. Copies of the newspapers containing the advertisement and affidavits of publication and posting shall be filed as provided in the case of State and county tax sales, except that no copies need be furnished the Comptroller and that one copy shall be filed with the said Board. All such sales shall take place at the time and place of State and county tax sales, and may be continued from day to day.

Section 12. In case there shall be no bidder for any piece or parcel of land offered for sale by the Tax Collector for the non-payment of any tax levied under this Act, the said piece or parcel of land shall be struck off to the Board of Commissioners of Okeechobee Flood Control District and shall be held by said District during the period herein allowed for the redemption of said lands in like manner and with like effect as lands sold to the State for non-payment of State and county taxes are held by the State. At the sale aforesaid the tax collectors shall give to the purchaser of each piece or parcel of land a certificate of such sale, describing the lands and the amount of the taxes, costs and charges thereof. The certificate shall be substantially, or as near as may be in the form provided for certificates issued to purchasers at sales for the non-payment of State and county taxes.

Section 13. Immediately after any sale for the non-payment of taxes levied under this Act, the Tax Collectors shall make out lists of all the lands so sold, in the same form, as near as may

be, as is required by law for similar lists of lands sold for the non-payment of State and County taxes. One of such lists shall be forwarded to the Board and one shall be forwarded to each officer to whom similar reports for sale for State and County taxes are required to be forwarded, except the Comptroller. One shall be retained by the Tax Collector. The list filed in the office of the Clerk of the Circuit Court of each County shall be entered by him in a book to be provided by the Board for the purpose, and said Clerk shall receive the same fee for such record as is paid for other recording, every five figures to be counted as one word, such fees to be paid by the said Board.

Section 14. The Tax Assessor shall receive as compensation for the duties required of him by this Act a commission of one per cent upon the amount of taxes assessed within his respective County, except errors, and the Tax Collector shall receive for his duties hereunder a commission of one-half of one per cent upon the amount of taxes collected by him; and the Tax Collector, in addition to such fees, shall be entitled to fifteen cents for each certificate of sale made by him under the provisions of this Act and one per cent commission on the amount of each delinquent tax when sale is made. All fees and expenses, except as otherwise provided by this Act, shall be paid by the Board.

Section 15. When land is bid off by the Tax Collector for the District the tax certificates shall be issued by the Tax Collector as of the date of sale in the name of the District, and if the land is not redeemed on or before two years from the date of such certificate, title to the lands shall immediately vest in the said Board subject to redemption by the owner as hereinafter provided, without the issuing of any deed as provided in other cases, and the certificate held by the said Board shall be evidence of the title of the said Board as to lands embraced in any such certificates. After title shall have become vested in the Board as above provided the said Board may sell and convey the said lands by deed at the best price obtainable therefor, provided such price shall not be less than the amount of all taxes upon the said lands which are due thereon pursuant to the provisions of this Act, together with all interest, penalties and costs; Provided, that no such lands shall be sold by the said Board until four weeks notice of the intention of the said Board to make such sale shall have been published once each week in a newspaper published in the County in which such lands lie, and if there be no newspaper published in such County then such notice shall be published as aforesaid in a newspaper published in Miami, Florida, and also by posting in three public places in the County or Counties in which such lands lie, one of which places shall be the Court House of said County or Counties. The Board may reject any and all bids for such lands; Provided, however, that the bona fide owner of the lands embraced in any such tax sale certificate, and who was such owner at the time of such tax sale, or the bona fide successor in title to such owner, shall, at any time prior to the day of the sale of such lands, have the right to redeem the same by paying the amount expressed in the face of such tax sale certificate, together with interest thereon at the rate of two per cent per month for the first year and eight per cent per annum thereafter, and paying the annual taxes for each subsequent year, together with interest thereon at the rate of eight per cent per annum. Interest on such tax sale certificate shall be calculated from the first day of April of the year in which such sale is made and interest on all subsequent annual taxes shall be calculated from the first day of April of the year such taxes would have become delinquent if assessed and not paid. The owner, or the bona fide successor in title to the owner, of any such lands applying to redeem such lands, shall pay all costs and expenses incurred by the Board in making up lists and advertising such lands for sale should any such cost and expense have been incurred. When the owner, or the bona fide successor in title to the owner, shall apply to redeem any lands embraced in such tax sale certificates after two years from the date of such tax sale certificate the Board shall execute and deliver to the party making redemption a quit-claim deed to the lands so redeemed, which deed shall be signed by the Board as other deeds by it are signed. In all cases where the owner or his bona fide successor in title shall apply to redeem as herein provided, they shall furnish substantial evidence satisfactory to the Board that they are entitled to redeem under the provisions hereof.

The deed of conveyance executed by the said Board to any such lands shall be signed by the said Board as other deeds made by it are signed, and shall vest in the grantee in such deed the fee simple estate to such lands, free from all liens of any character except such liens as may exist for State and county taxes thereon and other liens of equal dignity, and such deeds shall be incontestable.

Section 16. Any tax certificate issued under the provisions of this Act may be redeemed by the owner of said lands covered by the certificate, or by any person claiming to be the owner thereof, or his agent or attorney by paying to the Clerk of the Circuit Court for the county wherein such lands may lie on or before two years from the date of such certificate the amount of the tax due thereon for such year and all costs and charges as shown by said certificate, and interest on said amounts from the first day of April preceding such sale at the rate of two per cent per month for the first year and thereafter eight per cent per annum, together with all subsequently omitted taxes or assessments imposed under authority of this Act due and payable thereon. In the event any certificate is not redeemed as herein provided for, the holder thereof may apply to the Clerk of said Circuit Court for a deed to said lands described in said certificate. The said Clerk shall thereupon cause to be published in said county once each week for four weeks a notice of such application for a deed to said lands and of his intention to execute such deed, and during such time the owner of said lands, or anyone claiming the ownership thereof, or his agent or attorney, may redeem such certificate by paying to said Clerk the amount due for unpaid taxes, charges and costs, and interest as aforesaid, and the publisher's charge for said notice, but if at the expiration of the time fixed in said notice for the making of the deed, such certificate is not redeemed as aforesaid, the Clerk shall execute a deed to the holder of said certificate for the lands therein described. Such deed shall be in substantially the same form as now prescribed for tax deeds, and shall vest in the grantee the fee simple title to said lands therein described free from all liens except for the State and county taxes and other taxes of equal dignity. Before being entitled to receive such deed, the grantee named therein, or his agent or attorney, shall pay to the Clerk of said Court all fees and charges that are now required to be paid upon the application for a tax deed in cases where lands have been sold for unpaid State and County taxes. Whenever any tax certificate is returned or deed issued thereon, the Clerk shall enter such fact in the book hereinbefore required to be kept by him, opposite the number of such certificate, and shall enter the date when redeemed or the date when deed was executed, and by whom deeded, and the amount paid on such redemption. If the certificate so redeemed is held by the said Board, the Clerk shall transmit to such Board the amount paid on the redemption of such certificate, and said Board shall forward to the Clerk said certificate for cancellation. If such certificate is held by an individual or corporation the said Clerk shall pay such sum received for the redemption of such certificate to the holder thereof, his agent or attorney, upon the delivery of such certificate to the Clerk who shall cancel the same. No such tax deeds, and no such deeds given by the Board shall be set aside or deemed to be ineffectual to convey title because of any defect of description of the premises in the tax rolls or advertisement of sale or certificate of sale, or tax deed, or other document, notice or paper prescribed herein, provided the description given is sufficient to describe the premises with reasonable certainty, nor because of any defect in the form or execution of the tax rolls or collector's warrant or advertisement of sale or certificate of sale or tax deed or other notice document or paper prescribed herein, or because of any failure to publish or post the notice of sale or the notice of application for tax deed, or notice of expiration of redemption period shall have been made, because of any failure to mail or deliver either of said notices to the owner or the person last paying taxes thereon, or because the taxes were assessed, extended or sold without giving the correct name or any name of the owner of the premises, or because of any other matter or thing, whether hereinabove expressly enumerated or not, save and except that the premises sold were not liable to the tax or that the tax thereon had been paid at the date of sale. If any tax deed or deeds by the Board be invalid for either of the two reasons last given, the Board shall, on application therefor, refund to the purchaser, or his assigns, of the lands so sold, or of lands so sold to the Board and by it sold to him, the amount of taxes received in connection therewith, with interest at six per cent per annum. All tax deeds and deeds issued by the Board pursuant to this Act shall be and are hereby declared prima facie evidence of the regularity of the proceedings, as to the taxes authorized to be levied by this Act, and shall be so received in evidence in any and all courts of this State without regard to date of execution, and no defense shall be permitted thereto except the two defenses last hereinabove mentioned, and the defense that no notice of application for the tax deed or of the expiration of the period of redemption was at any time either posted or published or mailed or delivered to the owner or person last paying taxes thereon.



Section 17. The said Board is hereby authorized in order to provide for the work described by this Act to borrow money temporarily, from time to time, for a period not to exceed one year at any time, and to issue its promissory notes or certificates of indebtedness therefor, upon such terms and at such rates of interest as the said Board may deem advisable, payable from the taxes authorized by this Act to be levied and the increment thereof. Any of said notes may be used in payment of the amounts due, or to become due, upon contracts to be made by the Board for carrying on the work authorized and provided for herein, and the said Board may, to secure the payment of any of such notes or certificates of indebtedness, pledge any part of the taxes authorized to be levied under this Act, over and above the amount needed to pay the principal and interest of bonds which shall be outstanding at the time of the issuance of said notes or certificates of indebtedness. Said Board shall have the authority to borrow a sum of money not to exceed the amount of the total tax levy in any one year, for maintenance, administration and operation. Fifteen Thousand (\$15,000.00) Dollars of which amount may be used for administrative expenses.

Section 18. That the said Board is hereby authorized and empowered to issue negotiable bonds of the District in an amount not to exceed Five Million (\$5,000,000.00) dollars, to carry out the purposes for which the said District is created. Such bonds, principal and interest, may be made payable in gold coin at the office of the Treasurer of the District, and also, at the option of the holder, at a bank or banking house in the City of New York, to be designated by the Board. Said bonds shall be issued at such time or times, in such amounts, and in such form and denominations, and shall bear no interest, or interest rate, not exceeding six per centum per annum, payable semi-annually, and to mature at such time, or times not exceeding Fifty (50) years from the date of issuance, and to be sold at such price, as the said Board may determine; provided, however, that the same shall not be sold until the Board shall have published notice of the intention to sell the same for at least thirty days, once in each week, in a newspaper published in each of the counties of said District; and in the event there is no such newspaper in any County or Counties of said District, then notice by posting for at least 30 days in three public places in said county or counties, one of which places shall be the Court House in said county or counties, and in a newspaper published in the City of New York, and the said bonds shall be sold to the highest and best bidder therefor; provided, however, that said bonds, or any portion thereof shall not be sold for less than Ninety-five (95c) cents on the dollar, plus accrued interest. A sale or negotiation of such bonds to the United States shall not require any notice.

Section 19. The bonds authorized to be issued under this Act shall be signed in the name of the Board by the Chairman thereof and attested by the Secretary under the seal of the Board.

Said bonds shall be in such form as shall be prescribed by the said Board, shall recite that they are issued under the authority of this Act, which shall be referred to by number of chapter and date of approval, and shall pledge the faith and credit of Okeechobee Flood Control District for the prompt payment of the principal and interest thereof. The said bonds shall be numbered consecutively in the order of their issuance. Interest coupons shall be attached to said bonds and the said coupons shall be consecutively numbered, specifying the number of the bond to which they are attached and shall be attested by the lithographed or engraved facsimile signature of the Secretary of the Board and the Chairman thereof. Said bonds shall be recorded by the Secretary of the Board in a book to be kept for that purpose. When the said Board has caused any bonds issued under this Act to be prepared, signed and sealed in the manner prescribed herein, the said bonds shall be submitted to the Attorney General of the State of Florida, whereupon it shall be the duty of the Attorney General to carefully examine the said bonds in connection with the facts and the Constitution and the provisions of this statute, and if as a result of such examination he shall find that such bonds are issued in conformity with the Constitution and this statute and that they are binding and valid obligations upon the said Board and the said District, he shall officially so certify on each of the said bonds. The said certificate shall be admitted and received in evidence as proof of the validity of such bonds with the coupons attached thereto and no defense shall be offered against any bonds so certified in any action or proceeding except the defense of forgery. After the said bonds shall have been executed and sealed and registered and approved, as herein provided, they shall be delivered to the Treasurer who shall give his receipt to the said Board therefor, and the Treasurer

shall enter in a book to be kept by him, the number of each bond, the rate of interest, the time it becomes due, the date of sale, the person to whom sold and his post office address. The Treasurer shall hold said bonds and be the legal custodian thereof, and shall deliver the same to the purchasers upon resolution of the said Board duly recorded in its minutes. In case any of the officers whose signatures, counter-signatures and certificates appear upon the said bonds and coupons, shall cease to be such officers before the delivery of such bonds to the purchaser, such signature or counter-signature and certificate shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds.

Section 20. The said Board may in its discretion in lieu of presenting the said bonds to the Attorney General for approval in the manner provided in the preceding section cause the said bonds to be validated under any general law of the State of Florida, providing for the validation of county, district or municipal bonds; and all legal services required under this Act for the purpose of validating any and all bonds issued hereunder, shall be performed by the Attorney General of the State of Florida and there shall be no additional compensation paid therefor.

Section 21. This Act shall without reference to any other Act of the Legislature of Florida be full authority for the issuance and sale of the bonds in this Act authorized, which bonds shall have all the qualities of negotiable paper under the law merchant, and shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof for value. No proceedings in respect to the issuance of any such bonds shall be necessary except such as are required by this Act. The provisions of this Act shall constitute an irrevocable contract between the said Board and the said Okeechobee Flood Control District and the holders of any bonds and the coupons thereof, issued pursuant to the provisions hereof. Any holder of any of said bonds or coupons may either at law or in equity, by suit, action or mandamus enforce and compel the performance of the duties required by this Act of any of the officers or persons mentioned in this Act in relation to the said bonds, or to the collection, enforcement and application of the taxes for the payment thereof.

Section 22. It shall be the duty of the Treasurer or his successor in office, as custodian of the funds belonging to the said Board, and to the said District, out of the proceeds of taxes authorized to be levied hereunder, which moneys are, so far as necessary set apart and appropriated to that purpose, to pay the interest upon the said bonds as the same shall fall due and at the maturity of the said bonds out of the said moneys to pay the principal thereof.

Section 23. The said Board is hereby authorized and empowered to invest the moneys belonging to any sinking fund created for the ultimate redemption or retirement of bonds issued under this Act, or in bonds of the United States, or of any State of the United States, and in the bonds of any county, or municipal corporation in the State of Florida, and in bonds of any county or any city in any other State which at the time of such investment shall have a population of at least one hundred thousand according to the Federal census immediately preceding such investment; provided, always, that for the payment of the bonds so purchased the full faith and credit of any such county, city or municipal corporation, whether within or without this State, shall be pledged. The said Board is hereby authorized and empowered for the purpose of paying the said bonds, and when necessary to protect the interests of said Board and of said sinking fund, to sell and dispose of any securities in which the said sinking fund may be invested and to re-invest the proceeds thereof from time to time in conformity with the provisions of this Act, as it shall deem expedient.

Section 24. The Treasurer shall be the custodian of all funds belonging to the said Board and to the said District, and such funds shall be disbursed only upon the order of the Board. But the said Board is authorized to select depositories for the funds of said District, upon such terms as to security as is now or may hereafter be provided by law regarding State funds.

Section 25. The Board shall employ a secretary and such engineers as may be deemed necessary and expedient for carrying on the functions of the District, and shall fix the compensation of such employees, and all other employees of such District.

Section 26. The said Board shall co-operate with the United States Government in devising suitable plans, acceptable to the United States Government, for the carrying out of the work for

which the District was created, and such plans as shall be agreed upon between the United States Government and the District, shall constitute the plans upon which all work in the District shall be done from time to time.

Section 27. Bonds issued under the provisions of this Act may be sold, or hypothecated, to the United States, or any department of the Government thereof, or delivered to the said United States in consideration of its aid and assistance in the construction of works authorized by this Act, upon such terms and conditions as may be agreed upon between the said United States or any of its authorized agencies and the said Board.

Section 28. Upon the adoption of a plan or plans for constructing the works authorized by this Act, or upon the making of a contract between the Board and the United States for the construction of said works in accordance with a plan or plans adopted and approved by said United States, or its proper agency, as herein provided, all works heretofore constructed by Everglades Drainage District which properly form a part of the system of works so provided for shall thereafter be under the control of Okeechobee Flood Control District, and the Board of Commissioners thereof, and the said Board of Commissioners of Okeechobee Flood Control District may transfer such control to the United States, or its proper agency, if in the judgment of said Board the same shall be expedient; provided, however, that the said works shall always be maintained and operated with due regard to the needs and obligations of Everglades Drainage District with respect to reclamation and drainage. When the said Board shall receive the right to control the said works, as herein provided, then all of such works shall be thereafter maintained at the expense of the said Board, or of the United States or its proper agency in pursuance of an agreement between the Board and the United States.

Section 29. It is hereby determined that the benefits to the territory included in the Okeechobee Flood Control District from the construction of the work authorized to be constructed under the provisions of this Act will exceed the cost of such construction, and that the taxes authorized by this Act are in proportion to the benefits from such works to the several parcels of land, and other taxable property, within said District, including the lands owned by the Trustees of the Internal Improvement Fund.

Section 30. The Board may adopt such resolutions and prescribe such rules and regulations for converting bonds issued under this Act into registered bonds, as may seem advisable, and may also provide by contract with the purchaser of any such bonds, or by resolution, for the maintenance of such sinking and reserve funds for the payment of said bonds as may seem advisable; provided that in no event shall the levy exceed one mill on the dollar annually and the acreage taxes herein levied.

And there shall be and there is hereby created a sinking fund for the payment of the principal of said bonds at maturity, and the said Board shall set apart and pay into such sinking fund annually out of the taxes levied and imposed by this Act, at least 1% of the amount of bonds outstanding. And to the said sinking fund there is also set apart, pledged and added the proceeds of all lands held by the Trustees of the Internal Improvement Fund not otherwise appropriated by statute and not required by said Trustees in the administration of said lands as provided by law, an amount annually which may be necessary to provide an additional 1% of the bonds outstanding of said District and the Trustees of the Internal Improvement Fund are hereby authorized and directed to pay over to said District such amount annually. The said sinking fund shall begin to operate not later than 5 years after the first bonds of said District shall have been issued, shall continue thereafter so long as any bonds of said District are outstanding and the money in said sinking fund shall be set apart and pledged for that and for no other purpose.

Section 31. If any section, clause or provision of this Act shall be held unconstitutional it will not affect the remainder of this Act.

Section 32. All laws, or parts of laws in conflict herewith are hereby repealed.

Section 33. This Act shall go into effect upon its approval by the Governor, or upon its becoming a law without such approval.

Have had the same under consideration, and recommend that the same, with amendments thereto, do pass.

Very respectfully,

A. W. YOUNG,  
Chairman of Committee.

And House Bill No. 497, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on Second Reading.

Also—

Senator Young, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1929.

Hon. J. J. Parrish,  
President of the Senate.

Sir:

Your Committee on Drainage, to whom was referred:

House Bill No. 499:

A bill to be entitled An Act relating to Everglades Drainage District; to amend Section 1161, Revised General Statutes of Florida, relating to the Board of Commissioners of said district; to amend Section 1164, Revised General Statutes of Florida, as amended by Chapter 12017 of the Laws of Florida, Acts of 1927 relating to the levy, assessment and collection of drainage taxes in Everglades Drainage District; providing for the apportionment of the cost of all works heretofore constructed by said district according to the benefits received by lands within said district from such works and the assessment, levy and collection of assessments based thereon; to provide for the appointment of a board of commissioners for said district; to authorize the issuance of additional bonds by said district and to provide for the payment thereof; to provide for the establishment of development units within said district and the construction and improvement of works therein and levying and assessment of taxes upon lands in such development units; to provide for the hearing of exceptions to reports of the appraisers for said district and the confirmation thereof in a judicial proceeding; to repeal Chapter 12016, Laws of Florida, Acts of 1927, and all laws in conflict herewith.

Have had the same under consideration, and recommend that the same, with amendments thereto, do pass.

Committee Amendments Suggested:

Amendment No. 1—Strike all parts of said Bill following the enacting clause and insert in lieu thereof the following:

Section 1.—That Section 1161, Revised General Statutes of Florida, be and the same hereby is amended to read as follows:

1161. The governing Board of said District shall be designated "Board of Commissioners of Everglades Drainage District", and shall be composed of the Governor, the Attorney General, the Comptroller, the Commissioner of Agriculture and the State Treasurer, and their successors in office, and five persons to be appointed by the Governor, who shall be landowners within said District; no two members shall be appointed from the same county; two members shall be appointed for a term of two years; two for a term of three years and one for a term of four years, and thereafter all appointments shall be made for four years.

Until the Governor shall appoint the five members of said Board required to be appointed by him, the said Board of Commissioners of Everglades Drainage District shall be composed of the Governor, the Attorney General, the Comptroller, the Commissioner of Agriculture and the State Treasurer, and their successors in office, who shall have power to exercise and perform all of the functions of the Board of Commissioners of Everglades Drainage District.

The Governor shall be Chairman of said Board and the Board shall elect one of the appointed members of said Board Vice-Chairman; the Vice-Chairman shall perform all of the functions of the Chairman in the event of the sickness, absence or inability to act, of the Chairman.

The said Board shall have all of the power of a body corporate, including the power to sue and be sued by such name in any court of law or equity; to make contracts and to adopt and use a common seal, and alter the same at pleasure; to hold, buy and convey such personal and real property as may be necessary to carry out the purposes of said District and to appoint such agents and employees as the business of the Board may require.

The State Treasurer shall be Treasurer of the District.

The Board shall determine the location of the Engineering headquarters of the District, which shall be in some county lying wholly or partly within the District, but the Board may also maintain an office in Tallahassee, Florida.

Seven members of the Board shall constitute a quorum and a concurrence of the majority of the members present in any matter within the duties of the Board shall be necessary and sufficient for its determination, but no bonds shall be issued, nor shall any construction contract involving the expenditure of more